

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37262 of 2017

ORDER:

Heard Sri M.M.M.Sinivasa Rao for petitioner and the Assistant Government Pleader for Social Welfare.

The petitioner challenges Memo No.6887/LTR.A2/2017, dated 20.10.2017 issued by the 1st respondent, as illegal and unconstitutional.

The Memo is brief and reads as follows :-

“In the reference cited, Sri Rayala Venkateswarlu, S/o.Mallaiah, R/o.Aswapuram (V) & (M), Bhadradi Kothagudem District has filed Revision Petition against the orders of the Addl. Agent to Govt., Bhadrachalam in C.M.A.No.11/208, dated 19.06.2010 in respect of Acres 2.20 gts. in Sy.No.46 situated at Pamulapalli (V) of Aswapuram (M), Khammam District.

Government after careful examination of the matter, hereby rejects the Revision Petition filed by Sri Rayala Venkateswarlu, S/o.Mallaiah, R/o.Aswapuram (V) & (M), Bhadradi Kothagudem District, as the said Revision Petition is filed with a delay of 7 years.”

The case of petitioner is that the revision was filed in time and this Court has also entertained a writ petition when the prayer for interim direction was not considered by 1st respondent and also granted interim direction pending revision and finally, the writ petition was disposed of.

The 1st respondent rejected the revision on the ground that the revision is filed after seven years from the date of impugned order. Yesterday, this Court directed the Government Pleader to produce file. The Government Pleader, after producing file, submits that the order impugned in the writ petition suffers from patent illegality for the 1st respondent has mistaken the written arguments filed by petitioner as the presentation of revision.

Hence, the Memo is liable to be set aside and accordingly set aside. The matter is remitted to 1st respondent for consideration and disposal in accordance with law.

The writ petition is ordered, as indicated above. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 08-11-2017
Prv



S. V. BHATT, J

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